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Attorneys for Defendant

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION

LOUISE HUTCHENS,

Plaintiff,

v.

MICHAEL J. ASTRUE,
Commissioner of
Social Security,

Defendant.

Case No. 2:04-cv-00268 EFB (SS)

STIPULATION AND ORDER SETTLING
ATTORNEY'S FEES PURSUANT TO THE
EQUAL ACCESS TO JUSTICE ACT, 28
U.S.C. § 2412(d)

IT IS HEREBY STIPULATED by and between the parties through their undersigned counsel, subject to the approval of the Court, that Plaintiff's counsel, as Plaintiff's assignee, be awarded attorney fees under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d), in the amount of SEVEN THOUSAND FIVE HUNDRED DOLLARS AND NO CENTS (\$7,500.00) and costs in the amount of SEVEN HUNDRED SEVENTY THREE DOLLARS AND FIFTY THREE CENTS (\$773.53). This amount represents compensation for all legal services rendered on behalf of Plaintiff by counsel in connection with this civil action, in accordance with 28 U.S.C. § 2412(d).

This stipulation constitutes a compromise settlement of Plaintiff's request for EAJA attorney fees, and does not constitute an admission of liability on the part of Defendant under the EAJA.

1 Payment in the aforementioned sum under EAJA shall constitute a complete release from and bar to any
2 and all claims Plaintiff may have relating to EAJA fees in connection with this action. Any payment
3 shall be made payable to Plaintiff's counsel as Plaintiff's assignee and delivered to Plaintiff's counsel.

4 This award is without prejudice to the rights of Plaintiff's counsel to seek Social Security Act
5 attorney fees under 42 U.S.C. § 406, subject to the provisions of the EAJA.

6 Respectfully submitted,

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8 Dated: April 3, 2008

/s/ Ann M. Cerney
(As authorized via telephone)
ANN M. CERNEY
Attorney for Plaintiff

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10 Dated: April 3, 2008

McGREGOR W. SCOTT
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14 /s/ Mark A. Win
MARK A. WIN
Special Assistant U.S. Attorney

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16 Attorneys for Defendant

17 **ORDER**

18 **APPROVED AND SO ORDERED:**

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20 Dated: April 7, 2008.

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EDMUND F. BRENNAN
22 UNITED STATES MAGISTRATE JUDGE
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